

Introduced by Senator Karnette

February 21, 2003

An act to add Section 60061.8 to the Education Code, relating to instructional materials.

LEGISLATIVE COUNSEL'S DIGEST

SB 842, as introduced, Karnette. Instructional materials: universal design.

Existing law provides for the adoption and selection of quality instructional materials for use in elementary and secondary schools, and imposes requirements upon publishers and manufacturers of instructional materials.

This bill would declare the intent of the Legislature to require publishers to apply universal design strategies when creating instructional materials. The bill would also require publishers to extend design principles of traditional media to instructional materials, and to design digital multimedia programs intended for use by the general population of pupils in ways that facilitate access by pupils with disabilities who are progressing in the general curriculum.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 60061.8 is added to the Education Code,
2 to read:
3 60061.8. (a) Recognizing that the range of performance and
4 ability of pupils in kindergarten and grades 1 to 12, inclusive,
5 varies greatly, it is the intent of the Legislature to require

1 publishers to apply universal design strategies when creating
2 instructional materials intended for use by pupils and teachers in
3 the public schools after January 1, 2004.

4 (b) “Performance and ability,” as used in this section, means
5 the ability to see, hear, move, read, write, attend, organize, focus,
6 engage, and remember.

7 (c) “Universal design,” as used in this section, means
8 integrated design strategies that accommodate the widest range of
9 pupils possible, including those with disabilities. Integrated design
10 strategies shall be applied to print, video, audio, and digital
11 instructional materials, or any combination thereof.

12 (d) A publisher shall extend design principles of traditional
13 media to include the following:

14 (1) All print materials shall have sharp, clear, high contrast
15 fonts. Print materials designed for kindergarten and grades 1 and
16 2 shall use fonts that are at least 20 point.

17 (2) All video products shall be closed-captioned for
18 hearing-impaired pupils, except those portions, if any, where the
19 publisher does not have the rights to do so.

20 (3) Internet resources for pupils shall meet or exceed widely
21 accepted standards for Web accessibility, as determined by the
22 State Department of Education.

23 (e) A publisher shall design digital multimedia programs
24 intended for use by the general population of pupils in ways that
25 facilitate access by pupils with disabilities who are progressing in
26 the general curriculum. Accessible design attributes shall be
27 incorporated when the specifications of the digital multimedia can
28 functionally accommodate features of universal design. If
29 technologically feasible, a publisher shall design the multimedia
30 program to allow the user to control sizing of images and fonts,
31 speed and volume of audio, colors or contrast, or both colors and
32 contrast, and other inherently transformable attributes, but not for
33 modification of content, to match individual performance and
34 abilities. If a publisher is not able to create a multimedia program
35 that satisfies the requirements of this subdivision, an alternative
36 accessible format, such as a rich text file (RTF), meeting State
37 Department of Education specifications, shall be provided by the
38 publisher at no additional cost.

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